

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SOCIAL WELFARE DEPARTMENT - Welfare of Scheduled Castes and Scheduled Tribes - Atrocities against Scheduled Castes and Scheduled Tribes - Scheme for Relief and Rehabilitation of the SCs/STs (Prevention of Atrocities) Act, 1989 and rules framed thereunder - Enhancement of compensation - Revised Orders - Issued.

SOCIAL WELFARE (CV.POA) DEPARTMENT

G.O.MS.No. 76

Dated: 28 -11-2014.

Read the following:

1. G.O.Ms.No:3, Social Welfare (H1) Department,Dt:16.01.1996.
2. From the Joint Secretary, Govt. of India, Min (SJ & Emp),
D.O.Letter No.11012/2/2008-PCR (Desk), dt.20.01.2012.
3. G.O.Ms.No.22,Social Welfare (POA) Department,Dt.16.06.2012
4. From the Director, (SCD), Lr.No.11012/3/2013-PCR (Desk),
dt.10.07.2014

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ORDER:

In the G.O first read above, the Government has issued orders to follow the guidelines issued by the Government of India for enhancement of relief and rehabilitation measures to the Scheduled Castes/ Scheduled Tribes victims of atrocities and their dependents. Accordingly, they are being paid compensation of cash relief and other rehabilitation measures for various offences committed by the members belonging to the Castes other than Scheduled Castes/ Scheduled Tribes under the relevant sections of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 as indicated in the Annexure-1 of the said order.

2. In the G.O third read above, the Government has again enhanced the compensation to the SC/ST victims of atrocities and their dependents by following the guidelines issued by the Government of India vide reference second read above.

3. The Govt. of India, vide letter 4th read above, has communicated the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) (Amendment) Rules, 2014 notified in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (I), on 23.06.2014 by which the relief amounts to SC/ST atrocity victims and their dependents has been further increased by 50% and requested the State Governments / UTs to implement the said Rules. Further, they have also requested to give adequate publicity of the amendment rules in print and electronic media as per the said notification.

4. In the light of the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules 2014 issued by the Government of India, the Government have decided to implement the said amended rules in the State. Accordingly the relief amount to the atrocity victims is hereby enhanced by 50% (i.e. between Rs.75,000/- to Rs.7,50,000/- depending upon the nature of offences) as shown in the Annexure to this order . The above orders are given effect from 23.06.2014 i.e. date of issue of the G.O.I.'s notification.

5. The Commissioner of Social Welfare, A.P, Hyderabad / Commissioner of Tribal Welfare, A.P, Hyderabad / Collectors & District Magistrates/ Superintendents of Police shall take necessary action accordingly. They are requested to follow the Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989 and the Rules framed thereunder scrupulously.

6. The Government also exempts any expenditure under this scheme from treasury control.

[Continued ... 2]

7. This Order issues with the concurrence of Finance Department vide their U.O.No:762/PFS/14, dt.25.08.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.S.RAWAT,
SECRETARY TO GOVERNMENT.**

To:

All the District Collectors.

The Commissioner of Social Welfare, A.P, Hyderabad.

The Commissioner of Tribal Welfare, A.P, Hyderabad.

The IGP (PCR Cell) A.P, Hyderabad.

Copy to:

The Director General of Police, A.P, Hyderabad.

All Superintendents of Police.

The Accountant General, A.P, Hyderabad.

The Director of Backward Classes Welfare, A.P, Hyderabad.

The Commissioner of Panchayat Raj, A.P., Hyderabad.

The Secretary to Government of India, Ministry of

(Social Justice & Empowerment), GOI, New Delhi.

The Commissioner, I&PR Department.

(with a request to give wide publicity in the Print and Electronic media.)

The P.S to Chief Minister.

The P.S to Minister (SWE & TWE)

The P.S to Minister (Backward Classes Welfare).

The P.S to Secretary, Social Welfare Dept.

The P.S to Principal Secretary, Tribal Welfare Dept.

The S.F/S.C.

// FORWARDED: BY ORDER //

SECTION OFFICER

**“SCHEDULE ANNEXURE-I”
NORMS FOR RELIEF AMOUNT**

Sl. No.	Name of the Offence	Minimum amount of Relief
1.	Drink or eat inedible or obnoxious – substance [Section 3(a)(i)].	Rs.90,000/- or more depending upon the nature and gravity of the offence to each victim and also commensurate with the indignity, insult, injury and defamation suffered by the victim. Payment to be made as follows: I. 25% when the charge sheet is sent to the court II. 75% when accused are convicted by the lower Court.
2.	Causing injury insult or annoyance [Section 3(1)(ii)].	
3.	Derogatory Act [Section 3(1)(iii)].	
4.	Wrongful occupation or cultivation of land etc [Section 3(1)(iv)].	At least Rs.90,000/- or more depending upon the nature and gravity of the offence. The land/ premises/ water supply shall be restored where necessary at Government cost. Full payment to be made when charge-sheet is sent to the court.
5.	Relating to land premises and water [Section 3(1) (v)].	
6.	Begar or forced or bonded labour [Section 3(1)(vi)]	At least Rs. 90,000/- to each victim, payment of Rs.25% at FIR stage and 75% on conviction in the lower court.
7.	Relating to Right to franchise [Section 3(1)(vii)]	Upto Rs.75,000/- to each victim depending upon the nature and gravity of the offence.
8.	False, malicious or vexatious legal proceedings [Section 3(1)(viii)].	Rs.90,000/- or reimburse-ment of actual legal expenses and damages or whichever is less after conclusion of the trial of the accused.
9.	False and frivolous information [Section 3 (1)(ix)]	
10.	Insult, intimidation and humiliation [Section 3(1)(x)]	Upto Rs.90,000/- to each victim depending upon the nature of the offence payment of 25% when charge sheet is sent to the court and rest on conviction.
11.	Outraging the modesty of a women – [Section 3(1)(xi)].	Rs.1,80,000/- to each victim of the offence. 50% of the amount may be paid after medical examination and remaining 50% at the conclusion of the trial.
12.	Sexual Exploitation of a woman [Section 3(1)(xii)]	
13.	Fouling of water [Section 3(1)(xiii)].	Upto Rs.3,75,000/- or full cost of restoration of normal facility, including cleaning when the water is fouled. Payment may be made at the stage as deemed fit by District Administration.
14.	Denial of Customary rights of a passage [Section 3(1)(xiv)]	Upto Rs.3,75,000/- or full cost of restoration of right of passage and full compensation of the loss suffered if any. Payment of 50% when charge sheet is sent to the court and 50% on conviction in lower court.
15.	Making one desert place of residence [Section 3(1)(xv)]	Restoration of the site or right to stay and compensation of Rs.90,000/- to each victim and reconstruction of the house at Government cost, if destroyed. To be paid in full when charge sheet is sent to the lower Court.

16.	Giving false evidence [Section 3(2)(1) and (ii)]	At least Rs.3,75,000/- or full-compensation of the loss or harm sustained. 50% to be paid when charge sheet is sent to the court and 50% on conviction by the lower court.
17.	Committing offences under the Indian Penal Code punishable with imprisonment for a term of 10 years or more [Section 3(2)(V)]	At least Rs.1,80,000/- depending upon the nature and gravity of the offence to each victim and or his dependents. The amount shall vary if specifically otherwise provided in the Schedule.
18.	Victimization at the hands of a Public Servant [Section 3(2)(vii)]	Same as the compensation Payable, if the accused was not a public servant.
19.	<p>Disability: The definition of disability shall be as given in Section 2 of the persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and guidelines for their assessment shall be as contained in the Ministry of Social Justice & Empowerment, GOI, Notification No.154, dt.01.06.2001, as amended from time to time. A copy of the Notification is at Annexure-II to the Schedule.</p> <p>(a) 100% incapacitation</p> <p>(i) Non earning member of a Family</p> <p>(ii) Earning member of a family</p> <p>(b)Where incapacitation is less than 100%</p>	<p>At least Rs.3,75,000/- to the each victim of offence. 50% on FIR and 25% at charge sheet and 25% on conviction by the lower court.</p> <p>At least Rs.7,50,000/- to each victim of offence, 50% to be paid on FIR or Medical Examination stage, 25% when charge- sheet sent to court and 25% at conviction in lower court.</p> <p>Provided that an amount of not less than Rs.60,000/-from the amount payable to non –earning member of a family and an amount of not less than Rs.1,20,000/-from the amount payable to an earning member of a family may be reduced.</p>
20.	<p>Murder/Death</p> <p>(a) Non-earning Member of a family</p> <p>(b) Earning Member of a family</p>	<p>At least Rs.3,75,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.</p> <p>At least Rs.7,50,000/- to each case. Payment of 75% after postmortem and 25% on conviction by the lower court.</p>
21.	Victim of murder, death massacre, rape, mass rape and gang rape, permanent incapacitation and dacoity	<p>In addition to relief amount paid under above items, relief may be arranged within three months of date of atrocity as follows:</p> <p>(i) Pension to each widow and / or other dependents of deceased SC and ST @ Rs.4,500/- per month, or employment to one member of the family of the deceased, or provision of agricultural land, an house, if necessary by outright purchase.</p> <p>(ii)Full cost of the education and maintenance of the children of the victims. Children may be admitted to Ashram Schools /Residential schools.</p> <p>(iii) Provisions of utensils, rice, wheat, dals, pulses etc. for a period of three months.</p>
22.	Complete destruction / burnt houses	Brick or stone masonry house to be constructed or provided at Government cost where it has been burnt or destroyed.

S.S.RAWAT,
SECRETARY TO GOVERNMENT